

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Nacala Abiola Mitchell,

Plaintiff,

-against-

Affirm, Inc., American Express Credit Corporation,
Citibank, N.A., Experian Information Solutions,
Inc., and Trans Union, LLC.,

Defendants.

ANALISA TORRES, District Judge:

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ORDER

The Court has been advised that all claims asserted herein against Defendant Affirm, Inc. (“Affirm”) have been settled in principle. ECF No. 44. Accordingly, the above-entitled action is hereby dismissed and discontinued without costs as to Affirm, and without prejudice to the right to reopen the action within forty-five days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within forty-five days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement between Plaintiff and Affirm, they must submit the settlement agreement to the Court within the same forty-five-day period to be so-ordered by the Court. Per Rule IV(C) of the Court’s Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: September 22, 2022
New York, New York



ANALISA TORRES
United States District Judge